16 PAGES NEEDS IT.

LAST EDITION.

SATURDAY EVENING.

TOPEKA, KANSAS, NOVEMBER 7, 1908.

SATURDAY EVENING.

FIVE CENTS.

Supreme Court Decides "State Journal" Libel Suit.

Decision of Shawnee County Court Is Affirmed.

BY UNANIMOUS VOTE.

Long and Able Opinion by Justice.

Disbarment Case of Trickett vs. Cooksey to Be Probed.

Journal, affirmed the action in the did not take any evidence of hie any district court of Shawnee county wherein a jury acquitted the State has sustained its charges, and that the company should be ousted from doing business in Kansas. any damages.

The case was a most important one involving the right of a newspaper to

tion and J. R. Burrow, secretary of state. These three, acting as state bonds under various irregular and suspicious circumstances and con-

The State Journal severely criticized these officials, who were candidates for re-election, for their action in buying for the school fund what it regarded as tainted securities. The original bonds upon which the ones concerned the state, it was necessary to secure a change in the law, the bonds were purchased and handled with more or less secrecy and in the final transaction State Treasurer Kelly advanced the money from the treasury to the seller pending two weeks' formalities.

jury in the Shawnee county district court and resulted in the acquittal of the State Journal. The supreme court today clinches and sustains the verdict of the district court. The attorneys for Mr. MacLennan were B. P. Waggener Quilkin traded a stock of groceries to the state of the Shawnee county reversed.

One of the Shawnee county reversed.

circulated throughout the state publish an article reciting facts, and making comment relating to the official con-duct and character of a state officer, who is a candidate for re-election, for the sole purpose of giving to the peo-ple of the state what he honestly be-lieves to be true information, and for the sole purpose of enabling the voters to cast their ballots more intelligently. and the whole thing is done in good faith, the publication is privileged although the matters contained in the article may be untrue in fact and derogatory to the character of the can-

"2. Generally, publication should be no wider than the moral or social duty to publish. If it be designedly or unnecessarily or negligently excessive, privilege is lost. But if a state newspaper published primarily for a state constituency have a small circulation

should find specially from the that the plaintiff suffered no personal grudge. damages from the publication com-plained of, it will not be presumed that the finding was induced by in-structions regarding particular ques-tions in the case not related to that of damages; and the question whether such instructions mistake the law beinterial because they could

Rudolph against the Atchison, Topeka and Santa Fe railroad company,
from Barber county, the supreme
court holds that where an employe of
a railroad company has two methods
by which his work can be accomplished, one safe and the other dangerous
and he adopts the dangerous method
and is killed, his widow can not recover damages. Charles T. Rudolph
was a brakeman for the Santa Fe and
was coupling cars to make up a train
at Sharon. All of the cars had automatic couplers and he did not need
to go between the cars. But he took
another method of making the couplling which put his life in danger. He
was killed and his wife brought suit
for damages. The lower court gave
her a judgment but the supreme court
held that as there was one method
which he could have used that was
not dangerous to himself and by
which he could have used that was
not dangerous to himself and by
which he could have performed his
work satisfactorily that the company
is not liable for his death.

Murphy Must Serve Scuttenes

at Wishita. After he was sentenced to jall the city ordinance was repealed and he contended that he should not serve the jall sentence. He appealed to the supreme court to have the sentence set aside but the court

says that the repeal of the ordinance after conviction does not relieve Murphy from the penalty imposed by the

New Treasurer for Finney County.

H. V. Lawrence will be treasurer of Finney county as soon as the mandate of the supreme court is served. A. C. Wheeler must vacate the office after serving almost a year. Lawrence is a Democrat who was up for re-election two years ago. Wheeler is the Republican and on the face of the returns won in the election. Lawrence refused to give up the office last October but Wheeler ousted him through mandamus proceedings. In the mean time the contest court was holding a session and recounting the ballots. Lawrence won in the court and Wheeler appealed to the supreme court to let him retain his office. The supreme court affirmed the decision of the lower court and Wheeler is session. New Treasurer for Finney County. of the lower court and Wheeler lose his job. Lawrence will now su Wheeler for back salary.

Burial Association Ousted. Judgment of ouster was rendered by The supreme court today by unanimous voice, in an opinion written by Justice Burch in the case of C. C. Coleman against F. P. MacLennan, editor and proprietor of the State Journal, affirmed the action in the did not take any evidence or file any briefs and the court finds that the be ousted

> Rossville Warrants Illegal The supreme court holds that the \$1,-

seller pending two weeks' formalities leading up to the actual delivery of the bonds and the payment of the money by the state.

The case was carefully tried before a county district court has three out of open to the lower courts. The Shawnee open the state of the lower courts are the state.

Mr. MacLennan were B. P. Waggener of Archison, J. G. Waters of Topeka and W. P. Hackney of Winfield.

The attorneys for Mr. Coleman were his own firm, Coleman & Williams of Clay Center, Rossington and Smith of Topeka and John E. Hessin of Manhatten and Leonard and Leona Topeka and John E. Hessin of Manhattan.

The opinion in full is exhaustive and shows great research, goes into details and quotes and comments freely on many court opinions including one by Judge W. H. Taft in 1893.

The opinion will be printed in full formands the case for further proceedings.

by Judge W. H. Taft in 1893.

The opinion will be printed in full ings.

In Monday's issue of this paper. The following is the syllabus, or abstract by the court, which was unanimous in the court, which was unanimous in the court in the case of the Oil Well company against W. S.

Cooksey Must Now Answer.

C. R. Cooksey, the Kansas C. Kan., lawyer who tried to have C. Trickett, assistant attorney general for Wyandotte county disbarred from practicing in the courts of Kansas must now answer to disbarment proceedings in the Kansas supreme court. When the proceedings were first filed in the supreme court no action was taken because the court thought that Trickett should appear with clean hands before he backed any proceedings against Cooksey. As soon as the disbarment case in Kansas City was decided in Trickett's favor he renewed his application to have Cooksey In an order issued today the supreme court says:

the supreme court says:

"The court deems the accusation of Lehigh.

"The court deems the accusation sufficient to justify further action.

The accused is required to appear and answer on December 1, 1908."

The accused is required to appear and answer on December 1, 1908."

The charges against Cooksey are that he brought the disbarment proceedings in Wyandotte county against

Wale Expects Hard Battle.

New Haven, Conn., Nov. 7.—Yale expects to have a tough proposition

A Fine Line on Theft Drawn When a man attempts to steal from another man but only succeeds in dislodging the article he does not com-mit a crime, according to the decision of the supreme court in the appeal of Johnson attempted to steal a diamond shirt stud while the owner was asleep Employe Must Use Caution.

In reversing the suit of Elizabeth
Rudoiph against the Atchison, TopeIn a chair car. The owner awoke
when he found someone tugging at
his shirt front. He arose and seized
Johnson and accused him of the

members of the board of county commissioners to give the job to Miller without taking into consideration his qualifications. He claimed the office under the old soldier preference law. The supreme court holds that the city ordinance was repealed and he contended that he should sioners did not consider him compe-

(Continued on Page Six.)

Fast Elevens of the East and West Collide Today.

Harvard and Carlisle Battle Will Be Interesting.

INDIANS FAVORITES.

Expect to Excel Opponents in Field and Goal Kicks.

Coach Glenn Warner admitted to day that his Indian warriors were fully as strong as last year when they

Rossville Warrants Illegal.
The supreme court holds that the \$1-\text{cross} being to expose, without malice, the acts of a public official, such acts being regarded by the newspaper as important for the public to know.
The original cases were begun in August. 1994.
There were three of them, each for \$15,000\$ dam agreed that the sulf was being the portion of rebuilding a bridge across the township cannot be compelled to know.
The original cases were begun in \$15,000\$ dam agreed that the sulf was brought by C. C. Cleman, attorney general, i. L. Day those warrants. The warrants are now held by the Alma Nathon, attorney general, i. L. Day those warrants in the sulf was brought by the bank to force the township could be an interest to the evidence, the supreme court reverses the design of the sulf was brought by the bank to force the township could be an interest to the evidence, the supreme court reverses the design of the sulf was brought by the bank to force the township could be a week ago, by a score of 16 to 6. Up to the surface of the district confirm the town of the district confirm the town of the sulf was brought as the portion of the sulf was brought as the porti

Saturday was largely responsible for this. With an advantage in the lineup and a superior knowledge of the open style of play the Wisconsin coaches and players were confident of victory.

Princeton and Dartmouth. New York, Nov. 7.—Princeton and Dartmouth at the Polo grounds today President-elect and Mrs. Taft Will will give New York its only oppor-tunity to see a big football game this season. Both teams are fit and al-though neither is expected to show its full hand the contest probably will be

vard, so the elevens today probably will hold in reserve most of their formations. The weather conditions today promised to be perfect.

where out this defeat. Secret practice has been largely the order for both teams during the past week and at Princeton has brought out many shifts in the line-up. McFayden going from guard to center and Bucking-true patriot who understood the value. shifts in the line-up. McFayden going from guard to center and Bucking-ham coming from the side lines to fill McFayden's position. Pfeifer will probably be sent in at right half for Read, while Dowd will take Bredemus' place at end. Dartmouth has made few shifts, but has been in secret practice for two days. The Hanover eleven will be directed by the tiniest quarterback in the big colleges, Pishon who weighs but 126 pounds and stands 5 feet 3 inches. He is nevertheless looked upon as a worthy opponent of the veteran, Dilwho will lead Princeton. ead linesman, Mr. Okeson of

expects to have a tough proposition with Brown on the gridiron this af ternoon, but confidence is expressed that the blue will win and in winning will not be scored upon. It is thought that Yale's strength against will gauge the strength of Harvard, for Brown played at Cambridge a week ago and the score stood 6 to 2 in favor of the crimson.

TO MAKE ATCHISON DRY

Mayor King Says Election Results Show Such Condition Desired,

Atchison, Kan., Nov. 7 .- There is going to be an effort here to drive out

"I intend to close every saloon in town," Mayor King said today. "I will admit now that I have heretofore been handicapped in my efforts to close the joints in Atchison by reason

necessor to Von Sternburg at Washington Is Selected.

Berlin, Nov. 7 .- Count Johann Heinrich von Bernstorff, who recently has represented the German government in Egypt, has been selected by Emperor William to succeed the late Baron Speck von Sternburg as ambassador to

Countess von Bernstorff is a daugh-

ter of Edward Luckmyer of New York. The appointment has not yet been made formally, but it is understood that an official announcement will be given out within two or three days. Wisconsin and Minnesota Clash
at Minneapolis.

Cambridge, Mass., Nov. 7.—With
Harvard and the Carlisie Indians as antagonists in the football arena, the great show today proved an irresistible magnet for an army of enthusiastic followers of the most popular of infollowers of the most popular of followers of the most popular of inter-collegiate sports.

Never before were the crimson and Indians regarded as so closely matched.

Coach Glenn Warner admitted tobassy and first secretary in London in

While in England the count came

GONE TO HOT SPRINGS.

Remain There Until Thanksgiving.

Cincinnati. O., Nov. 7 .- Presidentelect W. H. Taft Mrs. Taft and Fred close and interesting.

Next Saturday each has its chief W. Carpenter, private secretary, left game of the year, Princeton meeting this city last night at 9:10 o'clock for Yale and Dartmouth meeting Har- Hot Springs, Va., where Mr. Taft will remain for rest and recreation until

Thanksgiving.

The day had been the quietest for the president-elect of any he has had since election. He had a conference Princeton and Dartmouth have not met on the gridiron for two years.

In 1906, the men from New Jersey won 42 to 0, and the New Englanders undoubtedly will do their utmost to wipe out this defeat. Secret practice at the president-elect of any he has had since election. He had a conference afterwards that no matters of significance were discussed. Judge Taff sent this cablegram to Gov. Magoor at Havana: sent this cablegram to Gov. Magoon

ues and the responsibilities of liberty and who loved Cuba with all his heart."

The offices of Mr. Taft were dismantled and will be re-established at Hot Springs. While no official an-nouncement has been made it is known upon reliable authority that Fred W. Carpenter, who has been Mr. Taft's secretary for many years, will be his secretary to the president sceeding in that position Wm. Loeb, who it is also stated, may have position of secretary of the navy in the Taft cabinet, if he so desires. Mr. Carpenter was with Mr. Taft in the Philippines and has been his secretary in the war department.

CORNISH FOUND DEAD.

Was Officially Connected With Nearly All Harriman Enterprises.

Chicago, Nov. 7.—William D. Cornish, of New York, second vice president of the Union Pacific Railway company, and a director in many other corporations, was found dead in his bed at the Auditorium annex in

his bed at the Auditorium annex in this city today. Death apparently was due to heart disease.

Mr. Cornish was a member of the directories of the following corporations: Leavenworth, Kansas & Western railway, the Northern Pacific Terminal company of Oregon, the Oregon Railway & Navigation company, of which he was also vice president; the Oregon Short Line Railway company of which he was vice president; dent; the Oregon Short Line Railway company, of which he was vice presi-dent; the Portland & Asiatic Steam-ship company, the San Pedro, Los Angeles and Salt Lake Railroad company, the Southern Pacific company, the Southern Pacific Railway com-

been handicapped in my efforts to close the joints in Atchison by reason of the fact that I was elected mayor on the 'wet' issue and I have had a hard time in keeping my record straight. I construe that my defeat for county treasurer meant that the people here want a 'dry' town and I am going to give it to them if it is in my power."

The determination of Mayor King to close the joints will create a good deal of consternation among some and of course it will be charged that he is prompted in this move by a spirit of retalilation. Whether this is the case or not, it will not alter the seriousness of the situation.

If King carries out his plans with an honest effort to enforce the law, he will have with him the Civic League and it is possible, if the lines become itightly drawn, he will have behind him all the lawabiding clitzens of Atchison. He certainly will have the open and aggressive support of the state authorities.

Angeles and Salt Lake Railroad company, railroad, the Carnegis Steel or United States Steel corporation's ore carrying line, it is learned that up to November 1 this line had brought from the lakes 1,666,000 tons of ore since midsummer. Last year it carried 5,842,000 tons of ore. There are yet almost two months of the present year, and steel men decider they will more than equal the ore record of last year. The Bessemer & Lake Erle pany, of which he was president, and the Wells-Fargo and retired at about 11 o'clock apparently in perfect health. To chay when Mr. Corneil, his private secretary went to awaken him his death was discovered. An examination of the body by the house physician disclosed the fact that Mr. The Bessemer and Lake Erle carries about half the ore brought into the pitting death of the body by the house physician disclosed the fact that Mr. The corner's inquest was set for tightly drawn, he will have been dead for some

KAISER PICKS A MAN. TRADE IS BETTER.

Business Helped by Election Results and Weather.

Old Orders Confirmed and New Ones Placed.

AN INCREASE OF TIME.

And Capacity in Many of the Industrial Concerns.

Topeka Bank Clearings Show Increase of 35 Per Cent.

New York, Nov. 7-Bradstreet's says: Election results and the advent of more seasonable weather in some sections of the country were helpful to trade this week, and except in parts of the south where the holding of cotton interfered, collections also have shown improvement. In wholesale and manufacturing lines the tone of business shows marked improvement. Orders which were conditioned on election results have been confirmed and many new ones placed, the net result being an enlargement of the volume of business at first hands over recently preceding weeks.

Many industrial concerns have an-

nounced an increase of capacity and of running time, and sales of pig iron, structural material, cotton goods for spring and reorders for fall and spring wear woolens, shoes and other lines have been enlarged. Practically all pig Iron markets were animated this week and the volume of business placed week and the volume of business placed was heavy. Most of the tonnage was booked prior to the election, the result of which appeared to be well assured, and some of it was probably brought out by concessions in prices. However, quotations are now firmer and inquiries for additional tonnage for delivery during the remainder of this year and throughout the first and second quar-ters of 1909 are numerous.

Copper is higher, partly because of peculation and partly owing to better omestic demand. There is more doing in the leather and shoe trades

Business failures in the United States for the week ending November 5, show 205 against 241 last week; 226 in the like week of 1907; 146 in 1906; 166 in 1906 and 184 in 1904.

Business failures in Canada for the week number 3 as against 32 last week and 34 in the corresponding week of

period last year.

Corn exports for the week are 812,584 bushels against 196,514 last week and 712,501 in 1907. For the 19 weeks ending November 5, corn exports are 2,919,251 bushels against 18,072,672 last

Bank Clearings. Bradstreet's bank clearings report for the week ending November 5 shows an aggregate of \$2.65.75.000 as against \$2.570,-\$14.000 last week and \$2.377.516,000 in the corresponding week last year. The fol-

orresponding week		The	TO
owing is a list of	the cities:	Pct.	Pet
CITIES-	Amount.	inc.	dec
ew York \$1	GOA 202 GOO	18.2	
hicago	220,091,000	6.0	
oston	171.025.000	24.7	
hiladelphia	110,6S4,000	****	9.
t. Louis	54,802,000	****	1
ittsburg	36,711,000		21.
en Francisco	34,098,000	21.2	
ansas City	36,478,000	5.7	- 100
saltimore	24,045,000		9
incinnati	23,106,000	2333	1.
Inneapolts	23,691,000		-4.
ew Orleans	14,061,000	****	18.
leveland	13,572,000	****	14
Detroit	12,771,000	****	8.
ouisville	10,026,000	****	12.
os Angeles	9.190,000	****	5.
maha	11,166,000	9.1	4.
Illwaukee	10.307.000	****	4
eattle	8,504,000	****	21.
t. Paul	10,276,000	****	2.
suffalo	7.422.000	****	10.
Denver	8,157,000	.8	2
ndianapolis	7.144.000	****	
ort Worth	12,780,000	4413	19.80
rovidence	7.576,000	15.4	***
ortland. Ore	6,493,000	13.0	1000
lbany	4,779,000 5,797,000	****	6.
Richmond	5,982,000	6.5	21.
alt Lake City	4,917,000	3.1	***
t. Joseph	4.714.000	18.5	***
Ittle Dock	2,425,000	72.8	
Ittle Rock	1.536.000		24
Vichita	1,605,000	2.7	
OPEKA	1.168.000	35.1	
klahoma	1,298,000	-	ii
Iouston	26,336,000	10.5	
alveston	21, 234, 000	58.0	7.0
			-020

TAFT OPENS PROSPERITY'S WAY. Steel and Ore Conditions and Mill Resumption Show Amazing Revival.

Pittsburg, Pa., Nov. 7.—The United States Steel corporation partly uncovered its hand in the Pittsburg district when it showed that, with independ-ent concerns it had for several months been planning to make the year 1909 the biggest in the history of iron and

Startling figures were produced to show that all records for carrying iron ores into the Pittsburg district are be-ing shattered and there is already piled up in the district about ten million tons of ore, or enough to run most of the biast furnaces at their full capacity for a year. In addition to this, about three million tons of ore will yet be brought in, which will give the mills more material than they ever used in any year, and arrangements have been made for using it all in 1909. From the Bessemer & Lake Erie railroad, the Carnegie Steel or United

without insurance, too, for the lake sea-son, so far as the insurance compan-ies understand it, closed on October 31. The Pressed Steel Car company of Pittsburg announces that it has been Pittsburg announces that it has been awarded a contract for 2,200 new steel cars by southern and western railroads. The Carnegle Steel company has been asked to bid at once on steel to be used in their construction. It is reported that many nundreds of men will be placed at work next week at car making plants. In addition to this order, there was inquiry in the Pittsburg district today for 500 cars from an eastern railroad and 1,500 cars from a road in Virginia. It is believed now that work to keep car plants going for one year will be closed within the next ten days, as many of them had been hanging fire pending the election.

Three Years' Building in Sight.

Three Years' Building in Sight. Trenton, N. J., Nov. 7.—Following the election, the local plant of the American Bridge company has receiv-ed orders to double the force of men here and work night and day. The orders, it is said, show this condition will last three years. The new work is for the building of apartment houses in New York, held up until the election of Taft was assured.

Banking Business Starts Ahead.
Springfield, Ill., Nov. 7.—The sentiment of financial security following the election of Taft is emphasized strongly in the Illinois state banking strongly in the lilinois state banking department. A new state bank has been organized by the department at Champaign. Another will be organized at Crete, and a third on Tuesday at Lanark. It is understood in the auditor's office that preparations for the organization of these and other banking institutions in the event of success of the Republican patients. success of the Republican national ticket were made weeks ago, and the formality of submitting papers to the authorities being held in abeyance until the outcome of the election was learned.

More Work in the Railroad Shops. Fort Wayne, Ind., Nov. 7.—The big Pennsylvania shops here today began to work seventy-five hours a week to get ready for the rush of traffic that is expected to make a car shortage before another month. In addition, before another month. In addition, over 100 new men were added to the pay roll. The force had been working only fifty-five hours a week prior to election. Orders were also issued today increasing the hours in the Wabash shops to sixty-five a week. Detroit Feels the Boost.

Detroit Feels the Boost.

Detroit, Mich., Nov. 7.—The Burroughs Adding Machine company announces that it will start all its departments on full time, fifty-four hours a week. Of late most of the men have been getting in only forty-eight hours.

of a score of industrial firms in-terviewed the majority said heavy or-ders were expected this winter, and work already has begun on orders placed last summer contingent upon Republican success. Work for 650,000 More Men

week number 3 as against 32 last week and 34 in the corresponding week of 1907.

Wheat including flour, exports from the United States and Canada for the week ending November 5, aggregated 4,940,120, against 5,463,714 last week and 5,459,533 this week last year.

For the 19 weeks ending November 5, this year, the exports are 78,654,745 against 73,727,407 in the corresponding period last year.

Corn exports for the week are 812.

Corn exports from the week are 812.

Corn exports from the week are 812.

Corn exports from the week are 812. zine. The series now published in-dicates a continuation of this im-provement and for the most part an optimistic view of the business

> Telegrams were also sent prior to the election to a number of the asso-ciation's members asking them to state specifically how many working men would be added to their present force by Dec. 1 if nothing occurred to shake commercial confidence. A res-ume of the information contained in these replies is also given by the magreplies is also given by the mag-

000 working men, "Taking this as a basis," says the article, "it is safe to assume that the thirteen thousand manufacturers which according to the census of 1990 employed an average each of 190 men or over, will add at least 50 per cent to their present force, making a total in round numbers of 650,000 men. in other words with the continuance of business confidence the in-portant manufacturing interests of the country will be enabled to increase their present force by more than half a million working men to meet the market demands for their products.

"In securing this information Democrat and Republican manufacturers were addressed. No attempt was made to limit the canvass to any particular interest; industry or to any par-ticular section of the country and the queries sent to manufacturers were based solely upon actual business con-ditions and business possibilities for the future,"

Business Revival at Toledo. Toledo, Nov. 7 .- The Toledo ship

building company announces that work on a new dry dock to cost be-tween \$250,000 and \$300,000 will soon begin. The Toledo shipbuilding com-pany which has a contract to build a new steel freighter to cost \$500,000 will push the work. The Toledo machine and tool company will soon b operating a full complement of men.
The Edwards Ford Plate Glass
company which has been running on half time will also start with a full naking preparations for a resumption

Paper Mill Strike Ends. Saratoga, Nov. 7.—The strike at the mill of the International Paper company at Palmer Falls has been settled. The employes voted to accept the terms of the company.

Will Start on Full Time. New Bedford, Mass., Nov. 7 .- New Bedford cotton manufacturers report business has been improving for a month or more and they hope to start all the machinery on full time before the close of the year

Resumes Full Operation.

Bangor, Me., Nov. 7.—The Webster mill of the International Paper company at Orono, which has been run-ning for some time at three-fourths of its capacity has resumed full opera-tions and the strikers began to apply

individually for work.

To Put on a Night Shift.

Fall River, Mass., Nov. 7.—Notices have been posted in the Stevens cotton mills announcing that beginning Monday next the carding, spinning and weaving departments are to be

Flood of Purchasing Orders Pours in on Wall Street.

Prices Jump Up a Point on Single Sales.

A NEW HIGH RECORD.

U. S. Steel Reaches a Figure Never Before Touched.

Speculation Stimulated by Reports From All Quarters.

New York, Nov. 7 .- A flood of buying orders which had poured in on brokers during the night sent prices soaring on the stock exchange today and brought scenes of activity on the floor, the like of which had not been witnessed in many months. So strong was the bullish sentiment that in some instances prices jumped upward points at a time on readiness with which purchases were made at the advanced figures indicated that many buying orders had been placed practically without limitation in price.

New York Central rose five points on a few purchases and United States Steel by short spurts forced itself up to 551/2, the highest price ever touched by that stock. Many other prominent stocks rose 1 and 2 points over last night's closing.

There was no definite single plece of There was no definite single plece of news to account for the extreme activity, but speculation apparently was stimulated by reports from all sections of the country of receipts of large orders by manufacturers, of rapid expansion in wholesale and retail lines and that large numbers of workers are being re-employed

being re-employed.

The big advance in New York Central was attributed in part to a rumor current in the street to the effect that E. H. Harriman soon is to become a factor in the control of that system. Neither confirmation nor denial of this report

in the control of that system. Neither confirmation nor denial of this report was to be had today.

The animated trading continued until the close, though considerable selling to realize profits developed in the closing hour. As a result the gains in some of the prominent stocks were wiped out but the substantial advances in some shares remained to the end. Prices were working upward again when the sound of the gong put an end to the trading for the week.

Harriman Is Silent to the trading for the week.

Harriman Is Silent.

New York, Nov. 7.—Edward H. Harriman was informed by those at his home at Arden, Orange county, this afternoon of the rumor that he was to become an active factor in the management of the New York Central & Hudson River rallway and that the price of the stock had advanced supposedly on the strength of that rumor. He declined to discuss the subject.

TO KEEP ANNIS OUT.

Commandant of Fort Hamilton Issued Order for That Purpose.

New York, Nov. 7 .- Stories of revelry "The replies received indicate that in the army post at Fort Hamilton an average of 135 men each will be added to the majority of manufacturing plants in the association by Dec.

1. They show that at least one half 1. They show that at least one half of the 3,000 members of the national association of manufacturers will add nied today by Lieutenant Colonel to their present force more than 200 .- Henry Ludlow, who has been in command at the fort. Practically every officer who was stationed at Fort Hamilton during the time mentioned in Mrs. Hains's letters has been ordered to another and in many instances, a distant post. It was when questioned with reference to the transfers of officers that Lieutenant Colonel Ludlow took occasion to deny some of the statements made in Mrs. Hains's letters. These letters were written while Mrs. Hains was living in the officers' quar-ters at Fort Hamilton after her husband had been ordered to the Philip-

"If any investigation was ever made by the war department of the reported revelries here, the investigation passed around me," said Colonel Ludlow. "No one ever asked me a question about it. That makes me more positive in my declarations that the revelations made by Mrs. Hains had nothing to do with

by Mrs. Hains had nothing to do with
the transfers."
Colonel Ludlow said he had issued an
order to keep William E. Annis out of
the post after he had received a warning from General Hains, father of Captain Hains, that serious trouble might
come if the men met. "He told me he
feared his son would shoot Annis," said colonel Ludlow.

FOOTBALL WEATHER.

Temperatures Slightly Above Normal, With Light Wind Prevailing.

Weatherman Jennings' offering today for the Washburn-K. U. football game was all that could have been asked by the most ardent admirer of the sport. Just enough wind was blowing to keep the field free from dust and while the temperatures were dust and while the temperatures were a few degrees above normal for this season of the year they were not enough above the normal point to interfere with the work of the player. On the other hand there was enough temperature in the atmosphere to keep the spectators in the bleachers comfortable throughout the game. The forecast indicates fair weather for tonight and Sunday with moderate temperatures for this part moderate temperatures for this part of the state. The following were the temperatures in Topeka since 7

o'clock this morning:
7 o'clock ... 39 11 o'clock ... 62
8 o'clock ... 42 12 o'clock ... 63
9 o'clock ... 48 1 o'clock ... 63
10 o'clock ... 55 2 o'clock ... 74

Weather Indications.

Chicago, Nov. 7.—Forecast for Kan-as: Fair tonight and Sunday; mod-